IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

WEDNESDAY THE EIGHTEENTH DAY OF APRIL TWO THOUSAND AND SEVEN

: PRESENT :

THE HON'BLE SRI JUSTICE: **B.SESHASAYANA REDDY**

CRIMINAL REVISION CASE No.1067 of 2003

(Criminal Revision Case under Sections 397 & 401 of Cr.P.C. against the order of the Court of the Metropolitan Sessions Judge, City Civil Court (VIII A.M.M.Court), Nampally, Hyderabad made in Crl.A.No. 175/2003 dated. 23-07-2003 preferred against the order of the Court of the III Metropolitan Magistrate at Hyderabad made in CC.No. 804/2001 dated. 01-04-2003.)

Between:

1. M/s. Padmavathi Chit Fund & Finance (Regd), H.No. 8-2-247/4, I Floor, Sri Mallanna Temple, Opp. Manoher Theatre, Secunderabad, rep. by its Managing Director Sri V.Parvatha Lingam.
2. V.Parvatha Lingam, S/o. Late V.C.Ramana Rao. Petitioners

AND

1. The State of A.P., rep. by its Public Prosecutor, High Court of A.P., Hyderabad.
2. Kesarmal Surana, S/o. Bodraj Surana, H.No. 18-4-781/A/7, Rajanna Bowli, Outside Aliabad, Hyderabad.

Respondents

The Petition coming on for orders as to admission upon perusing the Memo of grounds filed herein and the order of the High Court dated. 25-07-2003 made in Crl.M.P.No. 5110/2003 and upon hearing the arguments of the Public Prosecutor on behalf of the Respondent No.1 and of Sri Prakash Chakravorthi, Advocate for the Petitioners being not present.

The Court made the following **ORDER:**

" In spite of being the matter listed under the caption "for dismissal", there is no representation on behalf of the petitioner.

This revision is directed against the judgment dated. 23-7-2003 passed in Crl.A.No. 175 of 2003 on the file of the VIII Additional Metropolitan Sessions Judge, Hyderabad whereby and where under the learned Additional Metropolitan Sessions Judge confirmed the conviction of the petitioners-accused for the offence under Section 138 of the Negotiable Instruments Act.

Execution of sentence of imprisonment imposed against the 2nd petitioner has been suspended by this Court as per orders in Crl.M.P.No. 5110 of 2003, dated. 25-7-2003. Despite the matter being listed under the caption "for dismissal", the petitioner-accused has not prepared to proceed with the hearing of the revision. The conduct of the 2nd petitioner who represents the 1st petitioner also as its Managing Director does not deserve him to be on bail, pending the revision.

Therefore, the bail granted to the 2nd petitioner pending disposal of the revision as per orders in Crl.M.P.No. 5110 of 2003 is cancelled and the trial court is directed to issue N.B.W. against the 2nd petitioner-V.Parvatha Lingam and on execution of the same, he shall be committed to prison to serve the sentence imposed on him for the offence under Section 138 of the Negotiable Instruments Act pending disposal of the revision.

Post on 4-6-2007."

SD/- K.MOHAN RAO

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Metropolitan Sessions Judge, City Criminal Court at Nampally (VIII A.M.M.Court), Nampally, Hyderabad.
2. The III Metropolitan Magistrate at Nampally, Hyderabad. (with a direction to issue NBW against petitioner's herein)
3. Kesarmal Surana, S/o. Bodraj Surana, H.No. 18-4-781/A/7, Rajanna Bowli, Outside Aliabad, Hyderabad.
4. Two CCs to Public Prosecutor, High Court of A.P.Hyd(OUT)
5. One CC to Sri Prakash Chakravorthi, Advocate(OPUC)
6. One spare copy.

SAH

HIGH COURT

BSSRJ

DATED: 18-04-2007

NOTE: POST ON 04-06-2007

ORDER

CRL.RC.NO. 1067 OF 2003

DIRECTION

DRAFTED BY: SAH
APPROVED BY:
DRAFTED ON: 20-04-2007

HIGH COURT

BSSRJ

DATED: 18-04-2007

NOTE: POST ON 04-06-2007

ORDER

CRL.RC.NO. 1067 OF 2003

DIRECTION